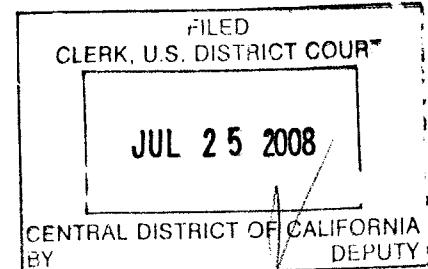


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11 UNITED STATES DISTRICT COURT  
12 CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA

12 Plaintiff,

13 vs.

14 Edward Nunez

15 Defendant.

16 } CASE NO. 68-1777M-  
17 } ORDER OF DETENTION

18 I

19 A. ( ) On motion of the Government in a case allegedly involving:

20 1. ( ) a crime of violence.

21 2. ( ) an offense with maximum sentence of life imprisonment or  
death.

22 3. ( ) a narcotics or controlled substance offense with maximum  
sentence of ten or more years.

23 4. ( ) any felony - where defendant convicted of two or more prior  
offenses described above.

24 5. ( ) any felony that is not otherwise a crime of violence that  
involves a minor victim, or possession or use of a firearm or destructive  
device or any other dangerous weapon, or a failure to register under 18

1 U.S.C. § 2250.

2 B.  On motion by the Government/  on Court's own motion, in a case  
3 allegedly involving:

4  On the further allegation by the Government of:

5 1.  a serious risk that the defendant will flee.

6 2.  a serious risk that the defendant will:

7 a.  obstruct or attempt to obstruct justice.

8 b.  threaten, injure or intimidate a prospective witness or  
9 juror, or attempt to do so.

10 C. The Government  is/  is not entitled to a rebuttable presumption that no  
11 condition or combination of conditions will reasonably assure the defendant's  
12 appearance as required and the safety of any person or the community.

## II

14 A.  The Court finds that no condition or combination of conditions will  
15 reasonably assure:

16 1.  the appearance of the defendant as required.

17  and/or

18 2.  the safety of any person or the community.

19 B.  The Court finds that the defendant has not rebutted by sufficient  
20 evidence to the contrary the presumption provided by statute.

## III

22 The Court has considered:

23 A. the nature and circumstances of the offense(s) charged, including whether the  
24 offense is a crime of violence, a Federal crime of terrorism, or involves a minor  
25 victim or a controlled substance, firearm, explosive, or destructive device;

26 B. the weight of evidence against the defendant;

27 C. the history and characteristics of the defendant; and

28 D. the nature and seriousness of the danger to any person or the community.

1 IV

2 The Court also has considered all the evidence adduced at the hearing and the  
3 arguments and/or statements of counsel, and the Pretrial Services Report/recommendation.

4

5 V

6 The Court bases the foregoing finding(s) on the following:

7 A.  As to flight risk:

8 *use of a different social security number and*  
9 *birthdates, currently on parole; no bail*  
10 *resources*

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14 B.  As to danger:

15 *Criminal history*

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21 VI

22 A.  The Court finds that a serious risk exists the defendant will:

23 1.  obstruct or attempt to obstruct justice.

24 2.  attempt to/  threaten, injure or intimidate a witness or juror.

25 B. The Court bases the foregoing finding(s) on the following:

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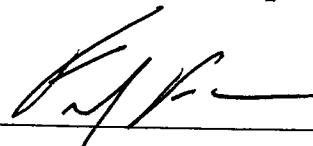
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1 VI  
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3 A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.  
4 B. IT IS FURTHER ORDERED that the defendant be committed to the custody  
5 of the Attorney General for confinement in a corrections facility separate, to the  
6 extent practicable, from persons awaiting or serving sentences or being held in  
7 custody pending appeal.  
8 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable  
9 opportunity for private consultation with counsel.  
10 D. IT IS FURTHER ORDERED that, on order of a Court of the United States  
11 or on request of any attorney for the Government, the person in charge of the corrections  
12 facility in which defendant is confined deliver the defendant to a United States marshal  
13 for the purpose of an appearance in connection with a court proceeding.

14 DATED: 7/25/08



15 UNITED STATES MAGISTRATE JUDGE  
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